S.B.CRIMINAL MISC. PETITION NO.773/2007

Date : 24.07.2007

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. Chaitanya Gahlot for the petitioner(s).
Mr. Ashok Upadyaya, Public Prosecutor for the State.

In the present matter, notices were issued for final disposal on July 17, 2007. Office report is to the effect that service on respondent No.2 has not been effected. Today, at the time of argument, it was brought to the notice that service on respondent No.2 has been effected and the notice is available on file. In view of above, service stands complete.

Briefly stated, the facts of the case are that petitioner Shiv Narayan is facing a criminal trial before the Judicial Magistrate, Rajsamand in Criminal Regular Case No.150/2006 and petitioner Shiv Narayan and his wife Smt. Shanta Devi are also facing criminal case in a very court being Criminal Regular Case No.151/2006.....brief facts

Learned counsel for the petitioner contends that similarly types of matter in relation to the present petitioner having been decided by this Court in S.B. Criminal Misc. Petitions No.770/2007 and 771/2007.

It is not necessary to give details of the case but in view of the statement of the learned counsel for the petitioner if the petitioner surrenders before the trial court on or before 04.08.2007 and move a regular bail, the trial court shall consider and decide the bail application on same day and release the petitioner on the terms and conditions which the trial court thinks fit. However, it is made clear that the bail will be subject to cross-examination of the witnesses, if the witnesses appear before the trial court and make statement.

With the above observation, the criminal misc. petition stands disposed of.

(SATYA PRAKASH PATHAK), J.